

Attorney for Plaintiff
MARTIN EUGENE ROBERTS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
)
MARTIN EUGENE ROBERTS,)
)
)
Defendant.)

Case No.: CR 06-00189 SBA

**STIPULATION FOR CONTINUANCE
OF HEARING FOR PLEA AND
SENTENCING AND TO EXTEND
TIME; ORDER**

The parties, by and through their attorneys of record, hereby stipulate and ask that the Court find and order as follows:

1. That the government and defendant Martin Eugene Roberts have negotiated a binding plea agreement, pursuant to which the defendant will plead guilty.
2. That the parties have submitted a plea agreement for the Court's consideration pursuant to Federal Rule of Criminal Procedure pursuant to 11(c)(1)(C).
3. That the hearing for change of plea and imposition of judgment and

1 sentence that is currently scheduled for 10:00 a.m. April 29, 2008 before
2 the Honorable Sandra Brown Armstrong be continued to 10:00 a.m.
3 Tuesday, June 3, 2008.

4 4. That the time period from April 29, 2008 to June 3, 2008 is excludable
5 under the Speedy Trial Act pursuant to 18 U.S.C. §3161 (h)(1)(I) because
6 that period of delay results from consideration by the Court of a proposed
7 plea agreement entered into by the defendant and the government pursuant
8 to Federal Rule of Civil Procedure 11(c)(1)(C).

9 5. That the United States Probation Office's Presentence Report be prepared
10 by April 29, 2008, thirty five days before the continued hearing date.
11

12 Respectfully submitted and stipulated,

13 Dated: March 28, 2008

14 /s/ _____
15 Geri Lynn Green
16 Attorney for Defendant
17 Martin Eugene Roberts

18 Dated: March 28, 2008

19 /s/ _____
20 Garth Hire
21 Asst. U.S. Attorney
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ORDER

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

1. A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on June 3, 2008 for defendant Martin Eugene Roberts. Time is excluded for purposes of the Speedy Trial Act from April 29, 2008 through the hearing date of June 3, 2008, pursuant to 18 U.S.C. §3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Civil Procedure 11(c)(1)(C).
2. The presently scheduled hearing for change of plea and imposition of judgment and sentence in this matter for April 29, 2008 is vacated as to Martin Eugene Roberts.
3. That the United States Probation Office is ordered to prepare a Presentence Report for defendant Martin Eugene Roberts by April 29, 2008.

IT IS SO ORDERED:

Dated: April 14, 2008


HONORABLE SAUNDRA B. ARMSTRONG
U.S. DISTRICT COURT JUDGE